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BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

LS9908023BAC

RESPONDENTS.

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Andrew J. Kelly
1901 Ivy Point Ln.
Summerlin NV 89134

*Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Andrew J. Kelly (DOB 01-29-35) 1091 Ivy Point Ln., Summerlin, NV 89134, is duly licensed as a barbering and cosmetology manager in the state of Wisconsin (license #22666). This license was first granted on August 1, 1972.
2. Look N Good Beauty Salon, 6244 W. Silver Spring Dr., Milwaukee, WI 53218, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #19395). This license was first granted on November 17, 1988. Andrew J. Kelly is listed with the Department of Regulation and Licensing as the owner and manager of Look N Good Beauty Salon. As owner and manager, Mr. Kelly was and is at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 2, 3 and 4.
3. On exact dates unknown, but at least in May 1997, Bonnie Hunter was providing barbering and cosmetology services at Look N Good Beauty Salon. At no time relevant to this action did Ms. Hunter hold a valid and current Wisconsin barbering and cosmetology license.
4. On exact dates unknown, but at least on May 15, 1997, Look N Good Beauty Salon did not possess a tuberculocidal disinfectant registered with the U.S. environmental protection agency for reusable manicure

instruments.

5. In resolution of this matter, Mr. Kelly consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶ 3 and 4, above, Andrew J. Kelly, d/b/a Look N Good Beauty Salon, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.04 and 4.10.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Andrew J. Kelly, d/b/a Look N Good Beauty Salon, shall pay to the Department of Regulation and Licensing a forfeiture of TWO HUNDRED dollars (\$200.00). Payment shall be submitted within thirty (30) days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

IT IS FURTHER ORDERED that in the event Andrew J. Kelly fails to timely submit payment of the forfeiture as set forth above, the manager license of Mr. Kelly (#22666) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondents have complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By:

Barbara Flaherty

A member of the Board

August 2, 1999

Date